

16 August 2022

S.34 Consultation,  
Legal Services Regulatory Authority,  
P.O. Box 12906,  
Dublin 7

**Subject: Invitation by the Legal Services Regulatory Authority  
for Written Submissions on Barriers for Early Career  
Solicitors and Barristers and Increasing Diversity**

Dear [REDACTED]

Many thanks for the invitation to submit our views to the consultation under Section 34 of the Legal Services Regulation Act 2015.

The National Disability Authority (NDA) is the independent statutory body that provides information and advice to the Government on policy and practice relevant to the lives of persons with disabilities, and promotes Universal Design. The comments and advice below address issues related to the remit outlined by the consultation notice, which fall within the NDA's competencies and expertise.

We believe that the profile of legal professionals should reflect the overall diversity of Irish society, and therefore the entry process to those careers should be made accessible to all minority groups, including persons with disabilities.

**Methods of admission**

The National Plan for Equity of Access to Higher Education 2015-2019 names students with disabilities as one of the targeted under-represented groups. The NDA advises that both the Law Society and King's Inns consider what needs to be put in place to meet the obligations to increase the number of students with disabilities in their courses.

While the NDA notes that changes are underway to amend the methods of admission to the Law Society and King's Inns, we believe that both methods remain onerous, in

terms of time, work and cost, and therefore may create barriers for a number of potential candidates, including those with disabilities.

Between the FE-I exams, PPC courses and training requirements, candidates wishing to become solicitors are required to commit to a programme lasting 3-5 years, all the while paying large fees and often, accommodation fees, as the process is Dublin-centric. We would advise exploring different approaches to the admissions methods, for examples offering FE-I in location around the country and moving PPC courses online. This would allow candidates who face barriers currently- due to a number of factors including location, socio-economic backgrounds and disability- to gain entry into this field.

We look forward to seeing the results of the PPC II Hybrid Learning Pilot, which will run from August 2021 to December 2021, and we hope that it will form the basis of a more accessible approach to teaching in the future.

Equally, the Dublin-centric approach to barrister teaching and training by King's Inns means that candidates from around the country face barriers to admission unless they are willing and able to move to Dublin for at least two years. Similarly, pupillage or devilling remains very much a Dublin business, although we recognise that the strict formal rule of completing this apprenticeship in Dublin has been lifted in recent years.

We advise exploring options around a partnership between King's Inns and third-level institutions around the country, in order to provide further accessibility to the profession to candidates outside the capital. The increase in remote learning over the last year may provide opportunities to make training more accessible.

The Bar Council of Ireland provides a five-week course (Look into Law) for transition year students. In previous years the capacity of the course was limited to 100 places of which 20% were reserved for students from DEIS schools. In 2021 the course moved online and attracted 10,000 students. It is hoped that some version of the online version will continue in future years as it is recognised that it has vastly extended the reach of the programme. The shift to online delivery may open this course and careers in law to students who might have not been dissuaded from applying due to accessibility concerns.

## **Cost**

The cost involved in studying and training to become a solicitor or barrister remains a significant barrier to candidates. As outlined in the LRSA's 'Pathways to the Professions' Report in 2018, these costs can be as much as €15,000 for a solicitor and €16,500 for a barrister. These costs do not include re-taking of exams, preparatory courses prior to exams or accommodations costs in Dublin. Neither do they seem to take account of the fact that successful candidates in both professions- but especially

barristers- do not earn substantial wages until a few years into their career. Persons with disabilities on average experience more poverty than the rest of the population, and therefore face an immediate, and often insurmountable, financial barrier to pursuing a career in this area.

The NDA recognises that both institutions offer scholarships and funding assistance. However, in the case of the former, very few scholarships are on offer- just four in the case of King's Inns. In the case of the Law Society, 200 candidates have availed of the Access Scholarship Programme since 2001. However, a brief look at the terms and conditions of the Access Scholarship Programme shows that it includes an 8-page detailed application form that is not available in an accessible format, and the process involves liaising with Student Universal Support Ireland (SUSI), which makes it complex and lengthy.

### **Disability Awareness**

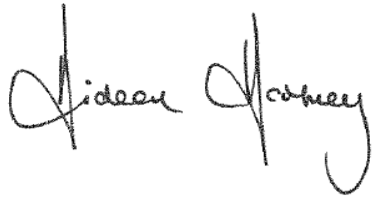
The NDA welcomes the proactive initiatives taken by law firms to establish Equality, Inclusivity and Diversity Committees, and we were delighted to present to one such firm last December on International Day of Persons with Disabilities 2020. However, we believe much more could be done to raise awareness in the Law Society, King's Inns, Law Library and law firms around the opportunities involved in the employment of persons with disabilities. Areas of awareness-building could relate to reasonable accommodations, universal design, accessibility of built environment, communications and ICT, and Irish Sign Language Act obligations.

### **Data collection**

We welcome the disaggregation of data around candidates entering the Law Society and King's Inns contained in the LRSA's 2018 Report, however, we would strongly encourage the collection of further data, including on students/candidates with disabilities. The collection and dissemination of such data will allow for further policy decisions to be taken in respect of the admission of candidates with diverse backgrounds going forward. We were happy to engage with the Bar Council in the design of its survey of members which aims to assess the current levels of diversity (including disability) that exist at the Bar. An equality and diversity mindset among legal professionals should commence at the point of training.

The NDA would be happy to discuss any of the recommendations in this paper in further detail.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Aileen Hartney". The script is cursive and fluid, with the first name "Aileen" and the last name "Hartney" written in a similar style.

**Dr Aileen Hartney**

Director